

MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

THURSDAY, September 28TH, 2006
7:30 PM

ROOM 330
MARIN COUNTY CIVIC CENTER
3501 CIVIC CENTER DRIVE
SAN RAFAEL, CALIFORNIA

MEETING MINUTES

Members Present:

Steve Kinsey, Chair, Marin County Board of Supervisors
Al Boro, Vice Chair, City of San Rafael
Susan Adams, Marin County Board of Supervisors
Hal Brown, Marin County Board of Supervisors
Charles McGlashan, Marin County Board of Supervisors
Cynthia Murray, Marin County Board of Supervisors
Amy Belser, Sausalito City Council
Peter Breen, San Anselmo City Council
Thomas Cromwell, Belvedere City Council
Carole Dillon-Knutson, Novato City Council
Alice Fredericks, Tiburon Town Council
Joan Lundstrom, Larkspur City Council
Dick Swanson, Mill Valley City Council
Michael Skall, Ross Town Council

Members Absent:

Melissa Gill, Corte Madera City Council
Lew Tremaine, Fairfax Town Council

Staff Members Present:

Dianne Steinhäuser, TAM Executive Director
David Chan, TAM Programming Manager
Li Zhang, TAM Finance Manager
Tho Do, Marin DPW Associate Civil Engineer
Jessica Woods, TAM Recording Secretary
Nolte support team

Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:38 p.m.

1. Chair Reports

Chair Kinsey noted that the San Rafael Richmond Bridge re-paving project would begin on Sunday, October 1st, which will cause a significant change in traffic patterns. It is important that everyone understands that there will be delays generated as a result of the work starting on October 1st, which will continue to October 22nd. He then reported that early next week he, along with Vice Chair Boro, will be joining ED Steinhäuser on a trip to Sacramento to speak with representatives about TAM's request for a design exception to approximately 170 meters (1,000 feet) the existing soundwall located on the east side of the freeway through San Rafael. They will appeal the decision by Caltrans that would require moving the soundwall two feet in order to provide a fully compliant shoulder lane. The feeling is that there is no reason to disrupt the neighbors and no reason to spend a half million dollars, so they will make an appeal to the District Headquarters next week. Also, he thanked Vice Chair Boro and Commissioner Fredericks for participating, with him, in the interview process leading up to the

recommendations for the legislative support contract being made this evening. They interviewed a series of candidates for the contract responsibility and he thanked them for making the time. He noted, further, that MTC, at their last meeting, endorsed the SMART Rail Program unanimously on the November ballot.

2. Commissioner Matters not on the Agenda

Commissioner Adams requested that Item 5b of the Consent Calendar be pulled for questions. The item was pulled for further discussion.

3. Executive Director's Report

ED Steinhauser welcomed the two new members, Commissioner Skall and Commissioner Cromwell to TAM. She then introduced two new staff members to TAM, Finance Manager Li Zhang and Planning Manager Eric Schatmeier. She went on to report that in August, MCTD and TAM co-sponsored a small operator forum in Marin County and had over 10 of the small operators from around the Bay Area attend for the purpose of discussing their needs with upper management staff from MTC. With MTC considering the possibility of receiving an additional 4347 Million in transit connectivity funding with the passage of the Transportation Bonds, dedicated to the large operators, they brought to Steve Heminger and MTC staff's attention some of the outstanding needs of the small operators with respect to essential transit services, capital needs that continually are unmet, and steadily growing paratransit needs. The forum was very successful. She announced that October 4th is Marin International Bike/Walk to School/Work Day and Safe Routes to Schools have a number of activities planned. Also, she mentioned the kick off of the Crossing Guard Program that started at the end of August. There are 54 guards employed around Marin County. The contractor approved by TAM at the end of June did a great job in recruiting, training and deploying guards to the 54 locations. Staff received a number of compliments and they are very happy the program is up and running so well. She then discussed a recent traffic mishap on the corner of First and C Streets involving a young seven-year-old girl who was struck in a crosswalk by a driver not yielding. Staff has been working closely with the City of San Rafael as to whether this particular site merits consideration for a crossing guard. Unfortunately, the crossing guard criteria were very explicitly adopted and implemented through both the Technical Advisory Committee and the recommendations approved by TAM. They supply crossing guards at intersections that typically have about 40 students during the peak hour of school access and this particular location has eight. Staff continues to look at the amount of traffic at that location. They have a number of cities, including Mill Valley and Novato that contacted staff regarding other locations where they feel traffic is exceptionally fast or heavy, and staff has reviewed those locations. Unfortunately, they do not qualify under the existing criteria. Staff will work with both the City of San Rafael and the MCTD, who operates bus service, to look at accessing the bus stop. Also, the City of San Rafael is looking at other traffic mitigations to deal with that issue. She then provided TAM with an Executive Director's Report for their review that included the following:

- Federal – Congress adjourns at the end of the week. There will not be a federal budget adoption. There will be continuing resolutions to keep the government going until after the election, and most likely, into January.
 - Earmarks still being considered that benefit Marin County:
 - \$300,000 for the Marin-Sonoma Narrows (TCSP)
 - \$4 million for Doyle Drive (Federal Lands)
 - \$300,000 for Fort Baker (Federal Lands)
 - \$1 million for GGNRA (Federal Lands)

- State
 - Highway 101-North of the Gate-Strategic Plan
 - CTC to meet in Sonoma County
- Regional/Local
 - Francisco Boulevard West Opens ahead of schedule
 - Community Based Transportation Plan efforts
 - AB 1234 Training for TAM Commissioners
 - Richmond San-Rafael Bridge Construction Impacts
 - TAM Board meetings in November and December

Commissioner Swanson noted that at the Mayors' Conference earlier this week they talked about the Proposition 1B and stated that the polling is getting very tight and wondered if TAM is going to take a position in that regard. He felt it is very important for California infrastructure and asked staff if TAM could consider a Resolution endorsing Prop 1B. ED Steinhauser responded that Item 9 asks TAM to adopt a Resolution supporting Propositions 1A and 1B.

Commissioner Adams announced that she would be unavailable to attend both alternative dates in regard to the November and December TAM meetings. She noted that ABAG meets November 16th and LAFCO meets December 14th.

Commissioner Lundstrom stated that Commissioners have been asked to take ethics training by many different Boards and Commissions and assumed that they are only required to take the training once. ED Steinhauser responded in the affirmative. She noted that all commissioners will need to send their completion certificates to Denise Merleno of TAM staff.

Chair Kinsey allowed public comment.

David Schonbrunn, representing, TRANSDEF, noted he was surprised to hear about a change in the 580 connector to Highway 101. There was a great deal of concern raised during the EIR process about allowing two lanes from 580 to Highway 101. He believed this must be agendized to have a policy level discussion including input from staff, and it should not move forward on a staff basis alone. The implications are far too serious and deserve further discussion. ED Steinhauser explained that the two-lane connector from 580 to Highway 101 was included in the environmental document for the corridor and staff would provide information to Mr. Schonbrunn in that regard.

Margaret Zegart, Marin resident, expressed concern for Miller Avenue being omitted because it is at LOS F. Chair Kinsey responded that the program is for State highways and Miller Avenue would not be eligible.

4. Commissioner Report

a. Executive Committee

Chair Kinsey noted that the minutes are provided in the packet and pointed out that the Transportation for Livable Communities Program that MTC sponsors, on a regional basis, has come up dry for this round of applications in Marin County. This issue was discussed briefly at the Executive Committee and it was decided that staff may need to meet with MTC to find a way for Marin to be more competitive in order to participate in the program. Also, Marin County is moving forward with the Nonmotorized Demonstration Program planning process. An Advisory Committee has been formed and its notices will be sent out to all cities and towns to define what the goals and criteria will be. He believed it would be advisable for Commissioners to work with their City Managers, Public Works Directors and fellow

Councilmembers to develop their own localized priorities or projects that are consistent, good candidates to be considered under that program. The entire planning process should be completed by the middle of next year and then projects would move forward. The Nonmotorized Program is intended to have projects capable of being completed so that they can measure the beneficial effects of them before 2009-2010. He added that the ability to be ready to go or relatively ready to go will be an important consideration, if not an absolute requirement.

b. Marin-Sonoma Narrows Policy Advisory Groups

Commissioner Murray reported that the EIR is getting ready to be circulated to the community, which will go out in December, and they will meet in January following the circulation to review the EIR and make comments. She added that the value-engineering process is going very well and will help in phasing and funding opportunities.

Chair Kinsey asked staff if TAM is also looking at value engineering and making changes with design exceptions that might bring the cost of the project down. ED Steinhauser responded in affirmative. Chair Kinsey asked staff if they did come up with ideas would they be studied in the environmental document or will they have to make comments to seek additional study. ED Steinhauser said she believes those ideas will come forward during the comment period regarding phasing of the project.

Chair Kinsey allowed public comment.

Karen Nygren, Marin resident, stated that the document will be coming out in December and there will be a public workshop on Tuesday and Wednesday of the first week in January. She requested that TAM have an opportunity to also review or have a powerpoint presentation because the close of public comment will be at the end of January. This project will affect both Marin and Sonoma and she believes that the TAM Board should be able to have an opportunity to not only attend the workshop, but also have an opportunity to provide input into this environmental document. She believed either in December or January it would be advisable for this particular body to schedule a presentation.

c. SMART

Vice Chair Boro reported that SMART met last Wednesday very briefly and had nothing of significance to report.

Commissioner McGlashan added that they kicked off the initial organization process for the Federal EIR analysis and launched that process by authorizing funding for a consultant. Commissioner Brown announced that Commissioner McGlashan would be one of two co-chairs on SMART.

5. Consent Calendar

- a. Approval of TAM Minutes of July 27, 2006. Recommendation: Approve.
- b. THIS ITEM WAS REMOVED FROM CONSENT FOR FURTHER DISCUSSION Contract Amendment - Gail Papworth. Recommendation: Authorize Executive Director to execute the contract amendment with Gail Papworth for an additional amount of \$10,000 and an extension of the contract from December 31, 2006 to June 30, 2007.
- c. Contract Amendment - All City Management Services. Recommendation: Authorize Chair to execute an amendment to the Professional Services Contract between TAM and all City Management Services reflecting the payment for the 12 guards in the NUSD through the separate Interagency Agreement with NUSD.

- d. Allocation to NUSD Crossing Guard Program. Recommendation: Authorize \$81,600 Measure Funds to NUSD for Sub-Strategy for a funding contribution to their existing crossing guard program.
- e. FY 2006-07 TAM Budget Amendment. Recommendation: Approve Resolution amending the FY 2006-07 Budget.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

Vice Chair Boro moved and Commissioner Fredericks seconded, to adopt the Consent Calendar as amended with Item 5b being pulled for questions. Motion carried unanimously by TAM.

Item 5b

Commissioner Adams stated that it appeared in the original contract, which is Attachment A that all five positions were to be filled in that first contract. She needed clarification as to why they have to add more money to complete the contract that already anticipated the five positions and wondered why they need the extension. ED Steinhauser responded that TAN staff acted on filling all five positions. They went through the recruitment process to hire a Project Delivery Manager but the position was not filled. Another reason for the lack of funds to re-advertise this one remaining position is that cost of advertising and coordinating was higher than anticipated. Gail Papworth was paying for advertisements directly from her contract for TAM to effectively advertise. As there does remain an existing position to be filled, staff hoped to be able to advertise for that position later this winter or early spring. Due to the higher cost for filling positions, particularly a lot of coordination with Local Government Services that Ms. Papworth was doing, staff did not actually do a portion of the scope, which was development of personnel policies, and other administrative procedures they hoped to use Ms. Papworth's expertise to accomplish, which is a further reason for the continuation. Commissioner Adams clarified with staff that the current staffing situation would not allow this to be done internally. ED Steinhauser responded that it does not. They have very limited resources in terms of budget and this is the most efficient way to carry out what they must have done, tapping into expertise in this field.

Commissioner McGlashan moved and Commissioner Lundstrom seconded, to approve Consent Calendar Item 5b as presented. Motion carried unanimously by TAM.

5i. Caltrans Report – Doanh Nguyen

Jit Pandher, Caltrans representative, reported on ongoing Caltrans storm damage repairs- that there are seven locations in Marin County that must be fixed. Contractors are on board and materials are ordered on some locations. There are two slides on Muir Road and those are scheduled for completion by the end of October. They will start the other four locations at the same time and finish as soon as possible. They expect to complete work by end of February 2007. There is about \$35 million worth of work. In regard to the Marin 101 Corridor project, construction is going well and they anticipate opening Francisco West a month earlier than scheduled. There was an accident on the northbound off ramp of Sir Francis Drake off Highway 101; a drunk taxicab driver ran into the other lane and the pathway right-of-way was closed. They provided detour signs, but were informed that the detour signs were not adequate, so they proposed another solution. They want to expedite the work and begin construction within a week or so. They will not open the path or open temporarily until construction of a new barrier is completed. Paving on the Richmond Bridge starts Sunday, October 1st as Chair Kinsey reported. With regard to the lower deck, the middle lane will be closed and next week the same on the upper deck. KCBS radio station will provide more information along with the Chronicle and IJ. He explained

that there will be two lanes open on the upper and lower deck during the day and only one lane open at night.

Commissioner Lundstrom asked Mr. Pandher to discuss further the Greenbrae overcrossing because two high school students were injured by the cab driver coming up over the sidewalk and the City of Larkspur has been experiencing a number of accidents. She is very concerned that the dangerous area should not be opened under any circumstance because it is a major concern. She agreed the detour is difficult to figure out and urged that a press release come out to alert the public of this situation and the schedule of when this might be completed because it is part of the BCDC permit that there be a separation at that location, which is part of the entire package for the Highway 101 Greenbrae overpass construction. She stated that the public must be notified. She added that the newspaper reported that students were injured, but one injury was quite serious. Mr. Pandher responded that next week they will know when the contractor is scheduling this work. and once they know that information it will be shared with the City of Larkspur.

Commissioner McGlashan asked Mr. Pandher if they are on track for spring of 2007 to commence work on the Blithedale exit. Mr. Pandher responded in the affirmative.

Chair Kinsey allowed public comment.

Deb Hubsmith, representing, MCBC, stated that this accident, in which in two students were injured, was tragic as was the fact that a permanent barrier had not been installed earlier. She attended the BCDC hearing of May 1st of 2003 when this was included as a permanent requirement for the construction in the area and the HOV Gap Closure project concluded over a year ago, so that barrier should have been constructed a long time ago. Also, accidents occur all the time and Caltrans does not close roads when an accident happens to impede access and that is why MCBC feels this pathway should be reopened right away to allow people to walk to the ferry terminal and to be able to use it to bicycle. They have heard reports of people jumping over the fence to get to their destination. They heard complaints from the Golden Gate Bridge District because people are missing their ferry. Also, there are reports that bicyclists are riding the freeway because the detour signs are not appropriate. They are asking for three items: 1) hoping that the pathway can be reopened immediately until construction starts; 2) get a permanent barrier installed; and 3) that TAM continue to work together with all the affected agencies. There is a long-term solution that has been planned for this area through Central Marin Ferry Connection project, and she thanked the City of Larkspur for serving as the lead agency for that planning document. The document includes a bicycle and pedestrian pathway to connect with the Cal Park Hill Tunnel with an off ramp that leads down toward the ferry terminal. There is money that is allocated in Regional Measure 2, and if they could accelerate that project they could use pilot program money and have that built before 2010. She submitted comments of this nature to Caltrans, Supervisor Kinsey, and staff, and she will deliver a copy to Bill Whitney as well as send a letter to the head of Caltrans.

Rocky Birdsey, representing, MCIL, reiterated that pedestrians must go through many intersections that there is more direct travel and more likely to get hit, so it would be nice to see this pathway reopened as soon as possible.

6. Contract for State Legislative Support

Chair Kinsey summarized the staff report and recommended that TAM accept the recommendation of the TAM interview team in selecting a professional consultant team for TAM's State Legislative support services, and authorize the Chair to execute for one year, with two allowable one-year extensions. The

contract will not exceed \$100,000 over a three-year period. He introduced the members from the Shaw-Yoder team who were in attendance at the meeting, including Josh Shaw, Paul Yoder, and Gus Khouri. The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

Commissioner Murray moved and Commissioner Adams seconded, to accept the recommendation of the TAM interview team in selecting the firm of Shaw-Yoder, Inc. for TAM's State Legislative support services; and to authorize the Chair to execute for one year, with two allowable one-year extensions. Motion carried unanimously by TAM.

Joshua Shaw of Shaw/Yoder, Inc. stated that the entire firm thanked TAM for the motion. They are humbled at the opportunity to work with TAM going forward, yet proud to do the work. Their job is to maximize opportunities for TAM in Sacramento .They look forward to working for TAM.

Paul Yoder echoed that it is an honor and privilege to represent TAM in this great part of the State. They represented Solano Transportation Authority for a number of years and have done some fantastic work for Solano in regard to RM2. Also, they are already learning about the needs of some of the smaller counties, especially in the MTC region. They are looking at forging coalitions with Solano, Sonoma, and Napa and look forward to getting started.

Gus Khouri of Shaw-Yoder briefly mentioned that he had served as consultant to the Assembly Transportation Committee, had an opportunity to work on both Prop1A and Prop1B and will try to bring both Propositions home. He looks forward to working for TAM.

Commissioner Lundstrom is pleased that the team mentioned coordinating with other jurisdictions and is pleased that it was mentioned. Chair Kinsey noted that it was a significant part of the interview process with all of the candidates to talk about their ability to work in partnership with other agencies.

7. Canal Neighborhood Community Based Transportation Plan

Chair Kinsey summarized the staff report and recommended that TAM accept the Canal Neighborhood Community Based Transportation Plan, with special thanks to the Stakeholder Committee who enabled the process to go smoothly.

Carey Lando, Senior Planner for TAM, provided a PowerPoint presentation on the Canal Neighborhood Community Based Transportation Plan, which was included in the Board packets.

Linda Jackson, Member, Stakeholder Committee/City of San Rafael, and chief staff person along with Bob Brown from the City of San Rafael organizing the effort in concert with TAM, stated that Co-Chairs of the Stakeholder Committee were unable to attend tonight, but they shared with the City Council four projects included on page 29 of the plan that were their personal favorites. The co-chair's favorite projects were the crossing over the Canal and the crossing over Highway 101. The other two items on that list were safer crosswalks and safer streets. Linda mentioned that the City met this week with TAM staff to discuss some funding possibilities through TAM, focusing on efforts to get those projects started.

The item was opened to public input. Note Linda Jackson of the City of San Rafael graciously served to interpret the public comments given to the Board in Spanish.

Canal resident/Committee member, stated that safer crosswalks and bus service is needed in the Montecito area. They also desired more police officers patrolling the neighborhood to have a safer place for their children.

Vice Chair Boro noted that San Rafael High School, San Pedro and Davidson School all have treacherous paths, so there are a lot of issues around safety.

Canal resident/Committee member, hoped there is a probability that some of the projects will be finished. Many depend on transit from 7am to 7pm and they desired more bus shelters, especially during the rainy seasons. She also asked for a bus service from Fairfax to the Canal. Chair Kinsey responded that late night service to Fairfax has been reduced. It has caused a noticeable impact to workers in the Canal area. They had discussed this at the Transit District at their Tuesday meeting. Several communities, including Fairfax and Mill Valley, had late night service reduced. The need is not being ignored and will be addressed in future discussions by MCTD.

Canal resident/Committee member, believed it is important to be able to get to Montecito and San Pedro School safely. They want the Canal to be a safe place because many live in fear. More lights are needed in the Canal and more police officers are needed to patrol the area between 9pm to 2am in order for residents to feel safe while riding the bus and walking home.

Rocky Birdsey, MCIL, learned a lot about the Canal participating in the process, and when it comes to people with disabilities, the Canal area has twice the average. The overall concern is transportation for all individuals and safety. He supports the creation of multi-modal nonmotorized access. The two projects most needed are the highway crossing over 101 and the Canal crossing. He looks forward to future studies of these needs. Rocky also mentioned a number of improvements regarding shelters and informational kiosks that have a great benefit that can occur for low cost. He thanked MTC and TAM for the funds.

Deb Hubsmith, MCBC, stated that Eric Anderson served on the Stakeholder Committee and on his behalf she stated that they were very proud to be a part of this process and the Canal neighborhood has the highest population of people riding transit, walking and bicycling and so it is incredibly important to improve conditions in this area. They thanked San Rafael, TAM staff, the Stakeholder Committee and all local residents that participated and thanked the Commissioners for supporting this plan as it moves forward. Also, MCDC wanted to make this area a model and hoped some funds could go toward implementing some of these recommendations in the Canal.

David Schonbrunn, TRANSDEF, spoke that he has been involved in environmental justice issues at MTC for over the last five years and during that time when this program was developed, they were concerned that MTC devolving these community based transportation planning processes to the counties and CMA's, would potentially lose focus and the resolution before TAM is an example of what they were precisely afraid of. The resolution asks TAM to accept this report and felt that is insulting to "accept" the report. The purpose of the community based transportation planning process is to provide documented evidence to each CMA as it develops its capital expenditure plan and capital investment program and where it will place funds. These are considered to be the unmet needs of an underserved community. By accepting this report rather than adopting this report, that throws it on the shelf. By adopting this report, TAM would be making an official commitment that this is part of the TAM's recognized needs and urged TAM to adopt this report.

The public input was closed.

ED Steinhauser explained the difference of acceptance and adoption is not a factor in carrying out the needs identified, and within the guidelines of MTC, staff recommends an acceptance of the report. As mentioned earlier, staff have begun meeting with San Rafael staff to look at every possible mechanism by which they can carry out these projects. She believes it behooves TAM to note that this is not the end of the process and collectively with the City, must adopt mechanisms by which to report back to this community on the implementation of these projects. There is a focused effort on these projects in getting them carried out, an effort which has started. Staff further recommended moving forward with staff's recommendation as presented.

Vice Chair Boro thanked TAM for voting to authorize the funding to allow this project to move forward. It was a great cooperative effort between many agencies and residents of the Canal and residents of San Rafael. He stated that San Rafael has a great history of adopting many plans over many years and once the City is involved it will move forward. This report is on record and the City Council of San Rafael accepted the report and plans to move forward. Also, he is proud of Linda Jackson who is a Senior Planner for City of San Rafael and very fortunate to have her on their staff. Also, in the Canal, just recently, there have been two major projects completed, the Bay Vista School and the Pickelweed Community Center, which all should be proud of .
Chair Kinsey asked for a motion.

Vice Chair Boro moved and Commissioner Adams seconded, to accept the Canal Neighborhood Community Based Transportation Plan.

Chair Kinsey noted that this report would not sit on the shelf regardless of adoption versus acceptance. This is long awaited and many see this as a way to directly link the interest of the community and the work program, so this document will live.

Motion carried unanimously by TAM.

Commissioner Hal brown left the TAM meeting at 9:00 p.m.

8. Congestion Management Plan - 2007 Scope

ED Steinhauser introduced the staff report, pointing out that TAM staff intends to perform further congestion planning in the future, dependent on funding available, but that this effort to meet the statutory commitments of the CMP needs to proceed. She recommended that TAM authorize staff to proceed with consultant selection for the approved Scope of Work for the 2007 CMP Update process.

Mary Klingensmith of the TAM Nolte team stated that TAM is required by legislation every two years to adopt a CMP update and the CMP is by definition a vehicle to address new congestion and there are severe penalties for not complying. The recommendations from consultant Wilbur Smith Associates following the last CMP update in 2005 are built into the 2007 scope. They recommend a more structured CIP development process, which has been included. The other element that is different is that they separated "performance monitoring" of this system from "analysis." The performance monitoring starts early next month and will be completed by the time the CMP Consultant comes on board and they will use that data to conduct their analysis.

ED Steinhauser noted that as a result of the 2005 CMP discussion an expanded transportation plan to address critical areas in the County must be addressed further. At staff level they discussed the need to further analyze east/west corridors, remaining congestion on Highway 101 even after Gap Closure, and

access to critical transportation hubs. TAM staff wants to explore this with the Board further. She noted existing planning efforts, including the Countywide Plan, and the need for a fund source. Commissioner Adams noticed that the segment between Ignacio and Marinwood is not included and there is a great deal of congestion along that area. She noted that there are a couple of proposed developments being considered in that area that would further increase traffic congestion and wondered why that area did not appear on that list. The consultant responded that if they were to expand to address routes in need, then the minute the segment did not meet the LOS required, the gas tax subventions to the County were at risk of being lost and also make TAM ineligible to receive STP funds. The recommendation is to keep this limited within 24 segments to meet the legislative requirements and address these broader real-time issues in an expanded effort without legislative penalties. Commissioner Adams requested that the segment be included in whatever format to not lose resources.

The item was opened to public input.

Margaret Zegart, Marin resident, noted that page 141 did not include Mill Valley traffic traveling from TAM Junction to Highway 101. Designated traffic by Mill Valley's Transportation Plan to use Miller Avenue to Highway 101 was completely omitted from this plan. She further requested that No. 19 be extended.

Karney Nygren, Marin resident, expressed concern for vehicle occupancy, especially in the corridor of Sir Francisco Drake Boulevard and asked why those areas are not being studied when vehicle occupancy studies are occurring elsewhere.

David Schonbrunn, representing, TRANSDEF, noted that at the last update Chair Kinsey made a promise of doing a comprehensive plan that uses what was learned from all studies that went into Measure A. He believed this is a pro forma exercise, but TAM had committed to figuring out what more needed to be done, and he wanted to see that happen. He felt there is no need to expand the network. This document could be made useful and thought provoking as opposed to a total snore. He wanted to see more action than just going through the motion.

The public input was closed.

Chair Kinsey agreed that he did make that statement and had felt that for many years and wants to tackle congestion issues on a comprehensive basis, but he did not want to lose time and money. The Executive Director assured him that they would tackle these challenges coming up with a multi-modal program to address congestion. Further discussion of scope and cost and funding would be needed. Commissioner Breen wanted to look at vehicles on Drake because travelers there have a tremendous commute. Ms. Klingensmith explained that all of the vehicle occupancy counts are on the State highway and that is the requirement. Commissioner Breen requested that staff provide TAM those counts for review.

Chair Kinsey asked for a motion.

Commissioner Knutson moved and Commissioner Lundstrom seconded, that TAM authorize staff to proceed with consultant selection for the approved Scope of Work for the 2007 CMP Update process. Motion carried unanimously by TAM.

9. Infrastructure Bond Priorities

ED Steinhauser summarized the staff report and recommended that TAM support Proposition 1A and Proposition 1B on the ballot in November 2006.

The item was opened to public input, and seeing none, the public input was closed.

Chair Kinsey asked for a motion.

Commissioner Adams moved and Commissioner Swanson seconded, to support Proposition 1A and Proposition 1B on the ballot in November 2006. Motion carried unanimously by TAM.

10. Announcement of Upcoming Calls for Projects

David Chan, Programming Manager, informed TAM that staff will be conducting an upcoming Call for Projects for multiple funding sources that include Transportation Funding for Clean Air, TDA Article 3, and the Regional Bike/Ped Program. The intent is to minimize the administrative burden and serve as an asset to the local Public Works Directors. Again, this is a call for projects for three funding sources and the call will be issued in October with a deadline in late November or early December. Staff will come back to TAM in early Spring with recommendations.

Commissioner Breen noted that at the Executive Committee meeting they talked about those cities and towns short-staffed and wanted staff to look at a process that did not force an applicant to go all the way through the process from beginning to end. Maybe in the process there could be some sort of a workshop to include all Public Works Directors to discuss streamlining ideas so that a lot of very restricted city and town resources did not go into developing a full-blown application. He desired a way to reduce some of the energy and effort and focus on the viable projects. Manager Chan agreed. They can reduce the burden, by having a simple initial application, developing the full application later as needed. Also, it shifts the burden to TAM staff to work more closely with the project sponsor to develop those final applications.

Commissioner Lundstrom commended Manager Chan for hitting the ground running and this is tremendous and a way to utilize TAM staff well. She congratulated staff for developing practical and doable items.

Vice Chair Boro asked staff to provide each Commissioner with this "call letter" to know what is going out and when the deadlines are for all cities to follow. Manager Chan agreed.

Chair Kinsey explained that they will not only be reaching out to Public Works staff, but they do have an Advisory Committee process used historically for TDA. ED Steinhauser responded that they temporarily adopted the County's Policy Advisory Group and their role is specified with respect to TDA funds. She hopes to be able to use the group as well as the MPWA to work with TAM regarding other projects. If there are a large number of candidates, staff will assemble a representative team to look at screening. She noted that many projects have been implemented over the years and they have had a dearth of applications in recent times, possibly due to staff shortfalls at the local levels. TAM staff hopes to get a good mix of applications in. Staff will sort accordingly and use the Advisory Group and MPWA to advise staff. Chair Kinsey added that next year that the Advisory Committee would be revised as discussed. Commissioner McGlashan asked staff if they would discuss eligibility criteria. ED Steinhauser noted that there is a possibility to use TDA funds for an early phase of the project, otherwise projects need to

be fully funded, which can limit the candidate pool. They are interested in working with all viable candidates no matter what the phase is and they want to see what can happen with the more flexible TDA funds.

11. Hwy 101 Update

11a. Adjustment to TAM/Caltrans Cooperative Agreement – Hwy 101 Funding for Puerto Suello Hill Project

ED Steinhauser summarized the staff report and recommended that TAM approve an added contribution of Measure A funds in the amount of \$ 1,919,700 to cover the final project estimate for the Puerto Suello Hill Carpool Lane and Multi-Use Path project. In addition, the Board authorizes the Chair to approve Amendment No. 3 to the Caltrans Financial Contribution Agreement to increase the Measure A contribution by \$1,919,700. The Board authorizes the Chair to approve an additional amount of \$500,000 in Measure A funds, and incorporate into said Agreement, pending final approval of project estimate, thus allowing the project to be advertised.

ED Steinhauser noted that they are reaching completion of the design on the bike/ped path and soundwall improvements to be incorporated into the Highway 101 Carpool Lane project. Total cost for the project is now \$48.5 million. In June when TAM amended the co-op agreement to bring some Federal funds into this bike path and soundwall project, staff was working off an estimate for the capital cost of these improvements of about \$18 million. After finalizing the design, now the approximate cost estimate is \$20 million dollars. They are asking for an additional \$2 million to be authorized. They just received this information on Monday and they are right up to the wire on finalizing the project package to allow it to be advertised. The total Measure A related funds are approximately \$6 Million in federal swapped funds and the remaining \$14 million will be Measure A cash. She apologized for not bringing this to the Executive Committee or the Highway 101 Subcommittee. Because the estimate is not finalized, staff is also asking for TAM's authorization of the Chair to be allowed to approve an additional \$500,000 to allow the project to be advertised in November.

Commissioner Adams clarified that this is for all the projects in that entire segment, the design is now completed, and they have everything ready for the bike/ped access way to be constructed. Vice Chair Boro noted that SMART and Caltrans reached an agreement that was submitted last Friday to meet staff's needs. ED Steinhauser added that SMART accepted a Caltrans Right of Entry Standard Agreement to enable access to SMART right of way for construction of a portion of the path. Consultant Connie Preston of the Nolte team stated that plans are essentially complete. There are a couple minor structure details that are being worked out with Caltrans and right now it is in Caltrans hands. Commissioner Adams asked staff if the piece on Linden is included. Consultant Preston stated that it is all included. ED Steinhauser explained that a maintenance agreement between Caltrans and the City of San Rafael still must be worked out.

Commissioner Breen asked staff what happens if the cost is over \$48 million, would local resources have to make that difference and will TAM be facing the gap. ED Steinhauser responded that it is a \$20 million capital improvement. They are moving quickly toward having fully expended the \$24.87 million identified in the expenditure plan for the project. When they hit the ceiling, they will look for funds elsewhere as they did with the CTC last year. They will also go to MTC regarding CMAQ funds. She believes that at that point in the process, with bids opened, the partners will be cooperative. The partners will not want to see a good bid go by the wayside side and be delayed indefinitely. There is attention to the existing industry cost being built into the project bid package, so staff is hopeful they do not have a severe cost increase at bid opening.

Chair Kinsey pointed out that if they hit a limit they cannot go beyond their local tax sources.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

Commissioner Adams moved and Commissioner Lundstrom seconded, to approve the contribution of Measure A funds in the amount of \$1,919,700 to cover the final design cost estimate for the Puerto Suello Hill carpool lane and multi-use path project. In addition, the Board authorizes the Chair to approve Amendment No. 3 to the Caltrans Financial Contribution Agreement to increase the Measure A contribution by \$1,919,700, The Board authorizes the Chair to approve an additional amount of \$500,000 in Measure A funds, and incorporate into said Agreement, pending final approval of project estimate, thus allowing the project to be advertised.

12. Open Time for Items Not on the Agenda

Deb Hubsmith, MCBC, invited all supports to attend a grass roots kick off rally on Tuesday, Oct. 3rd at the Cole Elementary School. MCBC is sponsoring the event and they hope to get volunteers energized

By Order of Chair Kinsey, the TAM meeting adjourned at 9:34 p.m.